

1 Laura Vartain Horn (SBN 258485)
 2 **KIRKLAND & ELLIS LLP**
 3 555 California Street, Suite 2700
 4 San Francisco, CA 94104
 5 Telephone: (415) 439-1625
 6 laura.vartain@kirkland.com

7 Allison M. Brown (Admitted *Pro Hac Vice*)
 8 **KIRKLAND & ELLIS LLP**
 9 2005 Market Street, Suite 1000
 10 Philadelphia, PA 19103
 11 Telephone: (215) 268-5000
 12 alli.brown@kirkland.com

13 Christopher V. Cotton (Admitted *Pro Hac Vice*)
 14 **SHOOK, HARDY & BACON L.L.P.**
 15 2555 Grand Boulevard
 16 Kansas City, MO 64108
 17 Telephone: (816) 474-6550
 18 ccotton@shb.com

19 *Attorneys for Defendants*
 20 UBER TECHNOLOGIES, INC., RASIER, LLC,
 21 and RASIER-CA, LLC

22
UNITED STATES DISTRICT COURT
 23
NORTHERN DISTRICT OF CALIFORNIA
 24
SAN FRANCISCO DIVISION

25 IN RE: UBER TECHNOLOGIES, INC.,
 26 PASSENGER SEXUAL ASSAULT
 27 LITIGATION

28 This Document Relates to:

29 *J.H. v. Uber Technologies, Inc., et al.*, No.
 30 3:25-cv-05342-CRB

31 *R.L. v. Uber Technologies, Inc., et al.*, No.
 32 3:25-cv-05515-CRB

33 *A.E. v. Uber Technologies, Inc., et al.*, No.
 34 3:25-cv-07668-CRB

35 Case No. 3:23-md-03084-CRB (LJC)

36 **DEFENDANTS' ADMINISTRATIVE
 37 MOTION TO SEAL PERSONAL
 38 IDENTIFYING INFORMATION AND
 39 INFORMATION DESIGNATED AS
 40 CONFIDENTIAL PURSUANT TO ECF 176
 41 CONTAINED IN EXHIBITS TO
 42 DEFENDANTS' REPLY IN SUPPORT OF
 43 DEFENDANTS' MOTION TO COMPEL
 44 COMPLIANCE WITH COURT ORDER**

45 Judge: Hon. Charles R. Breyer
 46 Courtroom: 6 – 17th Floor

DEFENDANTS' STATEMENT IN SUPPORT OF SEALING CONFIDENTIAL**MATERIALS**

Under Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (“Uber” or “Defendants”) hereby move this Court for an order to seal Exhibits A and B to the Reply in Support of Uber’s Motion to Compel Compliance with Court Order (the “Reply”), which contain personal identifying information (“PII”) and information designated as confidential pursuant to the Protective Order entered in this matter. *See ECF 176.* The exhibits are attached as Exhibit A, filed with this Administrative Motion.

A party seeking to seal a judicial record bears the burden of establishing that “compelling reasons” support that request. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178–79 (9th Cir. 2006). Specifically, that party must “articulate[] compelling reasons supported by specific factual findings . . . that outweigh the general history of access and the public policies favoring disclosure [of court records], such as the ‘public interest in understanding the judicial process.’” *Id.* (quoting *Foltz v. State Farm Mut. Auto. Ins.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). “In turn, the [C]ourt must ‘conscientiously balance[] the competing interests’ of the public and the party who seeks to keep certain judicial records secret.” *Id.* at 1179 (quoting *Foltz*, 331 F.3d at 1135).

Assessment of the public and private interests implicated here warrant sealing this information. Local Rule 79-5(c)(1)(i). Uber in particular seeks to seal deposition transcripts containing PII regarding Plaintiffs that is considered confidential and subject to the Protective Order entered in this matter. *See ECF 176.* Courts have found that such information “is sealable under the compelling reasons standard.” *See, e.g., Kumandan v. Google LLC*, No. 19-cv-04286-BLF, 2022 WL 17971633, at *1 (N.D. Cal. Nov. 17, 2022). That is because such information is “not relevant to any of the issues in this litigation, nor would the public have any real interest in its disclosure.” *O’Connor v. Uber Techs., Inc.*, No. C-13-3826 EMC, 2015 WL 355496, at *3 (N.D. Cal. Jan. 27, 2015). On the other hand, the public disclosure of the PII could cause significant and avoidable harm or embarrassment to the affected individuals. Moreover, no less restrictive alternative to sealing the PII within the exhibits is sufficient. Local Rule 79-5(c)(1)(iii). Uber’s request is narrowly tailored to seal only the exhibits

while ensuring that the public retains access to the Reply and other related documents. This Court may therefore “appropriately balance[]” the privacy interests of the affected individuals with the public’s right to access by allowing sealing of Exhibits A and B, which contain PII. *O’Connor*, 2015 WL 355496, at *2.

CONCLUSION

For the foregoing reasons, Uber respectfully requests this Court grant this Administrative Motion to seal transcripts containing PII that are Exhibits A and B to the Reply.

DATED: December 29, 2025

Respectfully submitted,

/s/ Christopher V. Cotton

CHRISTOPHER V. COTTON (*Pro Hac Vice*)
ccotton@shb.com
SHOOK, HARDY & BACON, L.L.P.
255 Grand Boulevard
Kansas City, MO 64108
Telephone: (816) 474-6550
Facsimile: (816) 421-5547

Counsel for Defendants
UBER TECHNOLOGIES, INC.,
RASIER, LLC, and RASIER-CA, LLC